

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JOHN MORO,

Plaintiff,

V.

ANGELA WINSOR, et al.,

Defendant.

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Civil No. **05-452-CJP**

ORDER

PROUD, Magistrate Judge:

A jury trial was conducted February 24-25, 2009, relative to all remaining claims against defendants Winsor, Adams, Lambert and Wilkerson. Defendant Walker, Director of the Illinois Department of Corrections, remained in the case in his official capacity solely for the purpose of possibly assessing prospective injunctive relief relative to plaintiff's claim under the Religious Land Use and Institutionalized Persons Act (RLUIPA). (**See Doc. 114, p. 3**). The RLUIPA claim was lodged against defendants Winsor, Adams, Lambert and Wilkerson, all of whom are current or former Illinois Department of Corrections employees.

It is axiomatic that injunctive relief is only available if one of the Department employees is found liable on the RLUIPA claim. Defendant Lambert was granted judgment pursuant to Federal Rule of Civil Procedure 50. A jury found against plaintiff and in favor of defendants Winsor, Adams and Wilkerson on all claims, including the RLUIPA claim. Therefore, the claim against defendant Walker in his official capacity for injunctive relief relative to the RLUIPA claim is moot.

IT IS THEREFORE ORDERED that defendant Roger Walker, Jr., is hereby

DISMISSED. Judgment shall enter accordingly.

IT IS SO ORDERED.

DATED: February 26, 2009

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE